

FREQUENTLY ASKED QUESTION # 1: AM I ENTITLED TO BENEFITS?



The Department of Labor's Office of Workers' Compensation Programs (OWCP) has the exclusive authority to administer, interpret, and enforce all provisions of the Federal Employees' Compensation Act (FECA).

Whether your injury or illness will be accepted as a valid claim is dependent on a number of factors that will be taken under consideration by your OWCP Claims Examiner. Your agency has no authority to accept or deny your claim. Your agency is required under law to provide all requested information to OWCP and to provide any relevant, factual evidence required to assist you and OWCP in the process.

TO BE ELIGIBLE FOR BENEFITS:

1. YOU MUST FILE A CLAIM on the appropriate claim forms:

- **CA-1 Traumatic Injury** – A traumatic injury is a wound or other condition of the body caused by external force, including stress or strain.
 - The injury must occur at a specific time and place, and it must affect a specific member(s) or function(s) of the body;
 - The injury must be caused by a specific event or incident, or a series of events or incidents, within a single day or work shift.
- **CA-2 Occupational Disease** – An occupational disease is a condition produced by the work environment over a period longer than one workday or shift.
 - The condition may result from infection, repeated stress or strain, or repeated exposure to toxins, poisons, fumes or other continuing conditions of the work environment;

The length of exposure, not the cause of the injury or the medical condition that results, determines whether an injury is traumatic or occupational.

2. YOU MUST PROVIDE PROOF that substantiates *all* of the five following workers' compensation claim requirements:

- You are a civil service employee as defined in the Code of Federal Regulations;
- You filed the claim timely;
 - For COP entitlement, you must file within 30 days of the injury;
 - For other benefits, the claim must be filed within three years, unless your immediate supervisor had actual knowledge of the injury within 30 days of the occurrence.
- Fact of Injury
 - Factual – You must provide evidence that the injury occurred.
 - Medical – You must provide a medical diagnosis from a “qualified” physician.
- Performance of Duty: You must provide evidence that what you were doing at the time of injury was related to your employment.
- Causal Relationship: You must provide medical evidence that the medical condition or disability you have was caused by or is related to your federal employment.

For Additional Information: <http://www.dol.gov/esa/regs/compliance/owcp.fecacont.htm>

**Questions? Contact the ARC WC Specialist at (304) 480-8229
or email questions to WorkersComp@bpd.treas.gov**